

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Patrick McIntyre, on behalf of himself and other putative class members,)	Case No.: 3:16-cv-394
)	
)	Judge James G. Carr
Plaintiff,)	
)	ORDER
v.)	
)	
Shank Concrete, LLC, et al.,)	
)	
Defendants.)	

The Parties having stipulated and agreed to conditional class certification, and having jointly proposed a form notice and opt-in, the Court hereby Orders as follows:

1. The Court approves the notice and opt-in forms as jointly proffered by the parties.
2. Counsel for Plaintiff is granted leave to send one copy of the proposed notice and one copy of the proposed opt-in form to each prospective class member, one time, via regular U.S. Mail. Such mailing may be made on or after the date of this Order. In the event such mailing is returned to counsel for Plaintiff as “undeliverable,” counsel for Plaintiff and Defendant shall confer to ascertain the appropriate address and determine whether and how further notice is appropriate. Either Party may seek leave of Court in the event agreement cannot be reached. No other communication may be sent by counsel for Plaintiff to prospective class

members except by agreement of the parties or by further Court Order, unless such further communication is in response to a communication initiated by the prospective class member. Nothing in this Order shall preclude or limit counsel for Plaintiff from communicating in any way or by any means with any member of the putative class after the member has submitted an Opt-In Consent Form and thereby joined the collective action or otherwise as allowed under applicable law.

3. A prospective class member may opt-in to this collective action by causing a fully and properly executed opt-in form to be filed on the docket prior to the expiration of sixty days from the date of this Order.
4. Counsel for Plaintiff is granted leave to enter into the blank in Paragraph 4 of the proposed notice the date that corresponds to sixty days from the date of this Order.

9/20/16

Date

s/James G. Carr

Hon. James G. Carr